

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:11cr10

In the Matter of:)	
)	
CLAIM FOR REMOVAL OF)	
13 OLD CANDLER TOWN ROAD)	
CANDLER, NC FROM THE)	
CONSENT ORDER AND JUDGMENT)	
OF FORFEITURE)	
_____)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	
)	
)	
vs.)	
)	
)	
JAMES W. "BILL" BAILEY, JR.)	
_____)	

THIS MATTER is before the Court on the "Claim for Removal of 13 Old Candler Town Road Candler, NC from the Consent Order and Judgment of Forfeiture," filed by Julia Kathleen Harold on March 14, 2011. [Doc. 40].

Julia Kathleen Harold, proceeding *pro se*, seeks to assert a third-party claim of ownership of certain property identified in the Consent Order and Judgment of Forfeiture. [Doc. 40]. In this Claim, Ms. Harold alleges that the property at issue is owned by the Julia Kathleen McCarthy Real

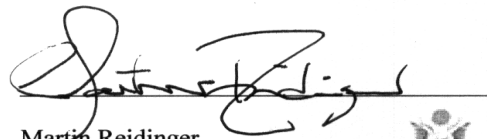
Estate IRA LLC ("the LLC"), of which Ms. Harold is the sole member. [Doc. 40 at 1].

It is well-settled that an LLC may appear in federal court only through a licensed attorney. A non-attorney corporate officer appearing *pro se* may not represent the corporate entity. See Gilley v. Shoffner, 345 F.Supp.2d 563, 566 (M.D.N.C. 2004); Microsoft Corp. v. Computer Serv. & Repair, Inc., 312 F.Supp.2d 779, 780 (E.D.N.C. 2004). As a non-attorney, Ms. Harold therefore is prohibited from appearing on behalf of the LLC in this matter.

Accordingly, **IT IS, THEREFORE, ORDERED** that unless a duly licensed attorney makes an appearance in this matter on behalf of the Julia Kathleen McCarthy Real Estate IRA LLC by **September 12, 2011**, the Claim for Removal of 13 Old Candler Town Road Candler, NC from the Consent Order and Judgment of Forfeiture [Doc. 40] shall be stricken from the record.

IT IS SO ORDERED.

Signed: July 27, 2011



Martin Reidinger
United States District Judge

